

AD HOC COMMITTEE ON LASER HAIR REMOVAL
Friday, June 10, 2005
Richmond, Virginia

The Ad Hoc Committee of the Board Medicine on Laser Hair Removal met on June 10, 2005, at 1 p.m., at the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia. The meeting was called to order by Jane Piness, MD, Chair.

MEMBERS PRESENT: Jane Piness, MD, Chair
Max Dorian, JD
Zelda Dugger
Camille Haisley-Royster, MD
Susan Rosen, RN
George Wilson, MD

MEMBERS ABSENT: Rich Bankowski
Suzanne Everhart, DO
Algin Garrett, MD
Peter Vonu, MD

STAFF PRESENT: William L. Harp, M.D., Executive Director
Elaine Yeatts, Senior Policy Analyst
Emily Wingfield, Assistant Attorney General
Karen Perrine, Deputy Executive Director for Discipline
Ola Powers, Deputy Executive Director for Licensing

GUESTS PRESENT: Mike Jurgensen, Medical Society of Virginia
Olga Nicholson, Advantage Laser Hair Removal
Kathy Sheraw, Leesburg laser Center
Bill Ferguson, Board for Barbers & Cosmetology
Paul Rubis, MD

Approval of Minutes of April 22, 2005

Dr. Wilson moved to approve the minutes with corrections. The motion was seconded and carried.

Adoption of the Agenda

Dr. Wilson moved to adopt the agenda. The motion was seconded and carried.

Public Comment on Agenda Items

Kathy Sheraw expressed her comments and concerns regarding topical anesthetics and encouraged the Board to consider regulation for individuals who perform laser hair removal.

NEW BUSINESS

Dr. Harp shared with the committee inquiries regarding the use of laser/light devices and the request to expand the scope of the committee to study the use of lasers for applications beyond laser hair removal. He stated that he felt the committee should focus on the use of lasers for hair removal, and the committee agreed.

1. Review of Safety Issues

Dr. Harp commented on the articles provided in the agenda packet regarding safety issues and the use of lasers. A discussion followed that included light source hair removal, interpretation of existing law or proposal of new law, the device use and the user, the need for regulation, and physician involvement. The committee agreed that lasers and intense pulsed light devices are medical devices and that safety is linked to the operator, and that some kind of regulation for users was needed.

2. Statements of Professional Organizations

The stances of ASDS and ASLMS were reviewed. The emphases on training, delegation and supervision were noted.

3. Review of State' Regulations currently in place

The committee noted that the regulatory schemes from state-to-state differed, with a majority of states considering laser/light device use the practice of medicine. It noted that delegation is allowed in most states.

4. Current Status of Texas Regulations

Dr. Harp provided his understanding of the current status of the regulations gleaned from conversations with the Texas Board of Medical Examiners and the Texas Office of the Attorney General.

5. Food and Drug Administration Information

Dr. Harp provided information to the committee regarding the first point of sale of lasers/light devices as medical devices per the Code of Federation Regulations, 21 CFR Chapter 1, Subpart D, Section 801.109

6. Review of Virginia Law and Regulations Regarding Medical Devices

Ms. Wingfield pointed out to the committee that the Virginia statute mirrors the federal regulation and is perhaps more restrictive.

7. Proposed Legislation – North Carolina

The committee reviewed the bill in the North Carolina Legislature that would create the category of “laser hair clinician” under the Board of Electrology. The committee discussed the dichotomy in this issue, i.e., the aesthetic and medical aspects of laser hair removal.

8. Texas Electrology FAQ’s

For information only.

9. Next Steps in Process

Ms Yeatts suggested the drafting of a working document with options for review and comment by the committee members at the next meeting.

Announcements

The Committee agreed to meet in September with a specific date to be determined by canvassing of the members.

Adjournment

With no further business to discuss, the meeting of the Ad Hoc Committee was adjourned.

Jane Piness, MD
Chair

William L. Harp, M.D.
Executive Director

Ola Powers
Recording Secretary